

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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The Annuity Pension Welfare, et al,

**Plaintiff,**

**08 cv 4739(SCR)**

**-against-**

**ORDER**

American Tree et al,

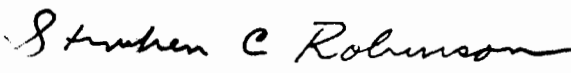
**Defendant.**

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**Robinson, J.**

**The Court having been advised that all claims asserted in the above entitled action  
having been settled,**

**ORDERED, that the above entitled action be and hereby is discontinued, without  
costs to any party, subject to reopening should the settlement not be concluded within  
thirty (30) days of the date hereof.**

**So Ordered:**

  
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**United States District Judge**

**Dated: Sept. 3, 2008  
White Plains, New York**